

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION

MALIKIE INNOVATIONS LTD.,  
KEY PATENT INNOVATIONS LTD.

Plaintiffs,

v.

MARA HOLDINGS, INC. (F/K/A  
MARATHON DIGITAL HOLDINGS, INC.)

Defendant.

CASE NO. 7:25-CV-00222-DC-DTG

JURY TRIAL DEMANDED

**DECLARATION OF PHILIP J. EKLEMIN SUPPORT OF  
PLAINTIFFS' RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Philip J. Eklem, provide this declaration in support of Plaintiffs' Responsive Claim Construction Brief. I make this declaration based on my own knowledge and/or knowledge formed after a reasonable inquiry and, if called upon to testify, I could and would testify competently to the statements made herein.

1. I am a partner in the law firm Reichman Jorgensen Lehman & Feldberg LLP and am counsel of record for Plaintiffs Malikie Innovations Ltd. and Key Patent Innovations Ltd. ("Plaintiffs") in the above-captioned case. My business address is 1909 K St., NW, Washington, DC 20006.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Expert Declaration of Paul D. Martin Ph.D. in Support of Plaintiffs' Responsive Claim Construction Brief.

3. Attached hereto as Exhibit 2 is a true and correct first excerpted portion of the certified file history of U.S. Patent No. 8,532,286, which was produced in the above-captioned case with production numbers MKIE\_MARA\_005433–5667. The excerpted portion includes

MKIE\_MARA\_005583–5595 and MKIE\_MARA\_005619–5626.

4. Attached hereto as Exhibit 3 is a true and correct copy of Defendant’s Initial Invalidity Contentions (cover document) in the above captioned case, served on October 15, 2025.

5. Attached hereto as Exhibit 4 is a true and correct copy of the transcript of the deposition of Dr. Çetin Kaya Koç taken on January 9, 2026 in the above-captioned case.

6. Attached hereto as Exhibit 5 is a true and correct second excerpted portion of the certified file history of U.S. Patent No. 8,532,286, which was produced in the above-captioned case with production numbers MKIE\_MARA\_005433–5667. The excerpted portion includes MKIE\_MARA\_005556–5567 and MKIE\_MARA\_005604–5614.

7. Attached hereto as Exhibit 6 is a true and correct excerpted portion of the certified file history of U.S. Patent No. 10,284,370, which was produced in the above-captioned case with production numbers MKIE\_MARA\_004129–4771. The excerpted portion includes MKIE\_MARA\_004439–4450, MKIE\_MARA\_004476–4484, MKIE\_MARA\_004528–4537, and MKIE\_MARA\_004594–4602.

8. Attached hereto as Exhibit 7 is a true and correct excerpted portion of Alfred J. Menezes et al., Handbook of Applied Cryptography, produced in the above-captioned case with production numbers MARA\_0000441–1234. The excerpted portion includes MARA\_0000441, MARA\_0000498–499, MARA\_0000557–560, MARA\_0000627–648, and MARA\_0000854–855.

9. Attached hereto as Exhibit 8 is a true and correct excerpted portion of Microsoft Computer Dictionary (5<sup>th</sup> ed. 2002), produced in the above-captioned case with production numbers MKIE\_MARA\_006530–6549. The excerpted portion includes MKIE\_MARA\_006530–6532, and MKIE\_MARA\_006538–6539.

10. Attached hereto as Exhibit 9 is a true and correct excerpted portion of The Facts on File Dictionary of Computer Science (Valerie Illingworth & John Daintith eds., 4th ed. 2001), produced in the above-captioned case with production numbers MKIE\_MARA\_006494–6515. The excerpted portion includes MKIE\_MARA\_006494, MKIE\_MARA\_006496–6497, and MKIE\_MARA\_006504–6505.

11. Attached hereto as Exhibit 10 is a true and correct excerpted portion of Brian Pfaffenberger, Webster’s New World Computer Dictionary (10th ed. 2003), produced in the above-captioned case with production numbers MKIE\_MARA\_006550–6559. The excerpted portion includes MKIE\_MARA\_006550–6552 and MKIE\_MARA\_006556.

12. Attached hereto as Exhibit 11 is a true and correct excerpted portion of Dick Pountain, The New Penguin Dictionary of Computing (2001), produced in the above-captioned case with production numbers MKIE\_MARA\_006516–6529. The excerpted portion includes MKIE\_MARA\_006516–6518 and MKIE\_MARA\_006524–6525.

13. Attached hereto as Exhibit 12 is a true and correct excerpted portion of Cryptographic Engineering (Çetin Kaya Koç ed., 2009), which is Exhibit 9 to the deposition of Dr. Çetin Kaya Koç taken on January 9, 2026 in the above-captioned case. The excerpted portion includes Chapter 2.

14. Attached hereto as Exhibit 13 is a true and correct copy of the Final Written Decision in *Facebook, Inc. et al. v. BlackBerry Limited*, IPR2019-00923, Paper 14 (PTAB Nov. 5, 2019).

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 14<sup>th</sup> day of January, 2026 in Zionsville, Indiana.

  
Philip J. Eklem